

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

IN RE: NATIONAL PRESCRIPTION
OPIATE LITIGATION

THIS DOCUMENT RELATES TO:

*The County of Summit, Ohio, et al. v.
Purdue Pharma L.P., et al.,*
Case No. 18-op-45090

*The County of Cuyahoga, Ohio, et al. v.
Purdue Pharma L.P., et al.,*
Case No. 17-op-45004

MDL No. 2804

Case No. 1:17-md-2804

Judge Dan Aaron Polster

Declaration of Katherine M. Swift in Support of *Corrected* Defendants' Response to Plaintiffs' Motion for Partial Summary Adjudication on Defendants' Compliance With the Controlled Substances Act [CSA Compliance Brief]

I, Katherine M. Swift, make this declaration pursuant to 28 U.S.C. § 1746. I hereby state as follows:

1. I am an attorney at law admitted to practice in the State of Illinois, and I am a Partner with the law firm of Bartlit Beck LLP, attorneys for Defendants Walgreen Co. and Walgreen Eastern Co. ("Walgreens"). I am fully familiar with the facts of this case as well as the facts set forth herein. I respectfully submit this declaration in support of *Defendants' Memorandum in Response to Plaintiffs' Motion for Summary Adjudication [CSA Compliance Brief]*.

2. Attached hereto as **Exhibit 1** is a true and correct copy of the Statement of Joseph Rannazzisi, House Hearing on Prescription Drug Abuse: What Is Being Done to Address This New Drug Epidemic, held July 26, 2006 in Washington, D.C.

3. Attached hereto as **Exhibit 2** is a true and correct copy of the article: Nicolas Rasmussen, *America's First Amphetamine Epidemic 1929-1971, A Quantitative and Qualitative Retrospect with Implications for the Present*, American Journal of Public Health, dated June 2008.

4. Attached hereto as **Exhibit 3** is a true and correct copy of the article: Larry Cote, *Opinions, The real history of the DEA and opioids*, The Washington Post, dated December 1, 2017.

5. Attached hereto as **Exhibit 4** is a true and correct copy of Harper-Avilla Dep. Ex. No. 7, dated April 11, 2019 – Table: Aggregate Production Quota History for Selected Substances (updated January 13, 2010).

6. Attached hereto as **Exhibit 5** is a true and correct copy of Harper-Avilla Dep. Ex. No. 8, dated April 11, 2019 – Table: Aggregate Production Quota History for Selected Substances (updated January 22, 2019).

7. Attached hereto as **Exhibit 6** is a true and correct copy of excerpts from Michael Mapes' Deposition, dated July 11-12, 2019.

8. Attached hereto as **Exhibit 7** is a true and correct copy of DEA Press Release – “DEA announces enhanced tool for registered drug manufacturers and distributors to combat opioid crisis,” dated February 26, 2019.

9. Attached hereto as **Exhibit 8** is a true and correct copy of a Report of the U.S. Attorney General by the Suspicious Orders Task Force and Supplemental Report to the Attorney General, dated February 1999.

10. Attached hereto as **Exhibit 9** is a true and correct copy of DEA Office of Diversion Control Webpage – *Knowing Your Customer/Suspicious Orders Reporting*, dated March 28, 2013 (WAGMDL00400361).

11. Attached hereto as **Exhibit 10** is a true and correct copy of a Zimmerman letter, dated September 30, 1996 (ABDCMDL00269355).

12. Attached hereto as **Exhibit 11** is a true and correct copy of a DEA letter, dated October 29, 1996 (ABDCMDL00315789).

13. Attached hereto as **Exhibit 12** is a true and correct copy of a Suspicious Orders Task Force Report, dated October 1998 (CAH_MDL_PRIORPROD_HOUSE_0002207).

14. Attached hereto as **Exhibit 13** is a true and correct copy of a Michael Mapes memo, dated August 16, 2005 (US-DEA-00000147).

15. Attached hereto as **Exhibit 14** is a true and correct copy of a Michael Mapes memo, dated October 20, 2005 (MCKMDL00496859).

16. Attached hereto as **Exhibit 15** is a true and correct copy of a Michael Mapes memo, dated August 23, 2005 (US-DEA-00000352).

17. Attached hereto as **Exhibit 16** is a true and correct copy of a Pharmaceutical Industry Conference Recap - Presentation by DEA's Michael Mapes and ABDC's Chris Zimmerman, dated September 11, 2007.

18. Attached hereto as **Exhibit 17** is a true and correct copy of a Joseph Rannazzisi Dear Registrant letter, dated September 27, 2006 (MCKMDL00478906).

19. Attached hereto as **Exhibit 18** is a true and correct copy of a Joseph Rannazzisi Dear Registrant letter, dated December 27, 2007 (MCKMDL00478910).

20. Attached hereto as **Exhibit 19** is a true and correct copy of a Chris Zimmerman Presentation - DEA Pharmaceutical Industry Conference: Wholesale Distribution Diversion Control Program (ABDCMDL00037184).

21. Attached hereto as **Exhibit 20** is a true and correct copy of a Report of NACDS Meeting with DEA, dated May 3, 2016 (WAGMDL00502008).

22. Attached hereto as **Exhibit 21** is a true and correct copy of a GAO Report, dated June 2015.

23. Attached hereto as **Exhibit 22** is a true and correct copy of Strait Dep. Ex. No. 5, May 31, 2019 - Diane C. Maurer Testimony before the Committee on the Judiciary, U.S. Senate – Additional Actions Needed to Address Prior GAO Recommendations, dated June 22, 2016.

24. Attached hereto as **Exhibit 23** is a true and correct copy of excerpts from the Cardinal Health DEA Compliance Manual, dated April 5, 2000 (CAH_MDL_PRIORPROD_DEA07_01383895).

25. Attached hereto as **Exhibit 24** is a true and correct copy of Cardinal Health Standard Operating Procedures, Corporate Quality and Regulatory Compliance, dated June 2, 2006 (CAH_MDL_PRIORPROD_DEA07_01188323).

26. Attached hereto as **Exhibit 25** is a true and correct copy of excerpts from the Eric Brantley deposition, dated November 27, 2018.

27. Attached hereto as **Exhibit 26** is a true and correct copy of a Joseph Rannazzisi Dear Registrant letter, dated December 27, 2007 (CAH_MDL_PRIORPROD_DEA12_00010980).

28. Attached hereto as **Exhibit 27** is a true and correct copy of the Moné Declaration, dated April 13, 2012 (CAH_MDL_PRIORPROD_DEA12_00000405).

29. Attached hereto as **Exhibit 28** is a true and correct copy of a compilation of documents used to assist in creating a new Cardinal Internet Pharmacy Policy (CAH_MDL2804_02102254).

30. Attached hereto as **Exhibit 29** is a true and correct copy of a Reardon email, dated April 27, 2007 (CAH_MDL2804_02102142).

31. Attached hereto as **Exhibit 30** is a true and correct copy of a Pohl email, dated January 9, 2006 (CAH_MDL2804_01305528).

32. Attached hereto as **Exhibit 31** is a true and correct copy of a Reardon email, dated January 27, 2006 (CAH_MDL2804_02102246).

33. Attached hereto as **Exhibit 32** is a true and correct copy of a Falk email, dated May 14, 2008 (CAH_MDL2804_02156858).

34. Attached hereto as **Exhibit 33** is a true and correct copy of a Reardon email, dated September 14, 2007 (CAH_MDL_PRIORPROD_DEA07_01198345).

35. Attached hereto as **Exhibit 34** is a true and correct copy of a Michael Mapes Houston, Texas Presentation in 2007 (CAH_MDL2804_02102712).

36. Attached hereto as **Exhibit 35** is a true and correct copy of Cardinal New Retail Independent Customer Survey Process, dated January 4, 2008 (CAH_MDL_PRIORPROD_DEA07_00891019).

37. Attached hereto as **Exhibit 36** is a true and correct copy of a Forst email, dated May 4, 2010 (CAH_MDL2804_00586715).

38. Attached hereto as **Exhibit 37** is a true and correct copy of a Moné DEA memo, dated November 10, 2008 (CAH_MDL2804_00826948).

39. Attached hereto as **Exhibit 38** is a true and correct copy of a Cote letter, dated April 25, 2018 (CAH_MDL2804_02101802).

40. Attached hereto as **Exhibit 39** is a true and correct copy of a Cote letter, dated June 1, 2018 (CAH_MDL2804_02101803).

41. Attached hereto as **Exhibit 40** is a true and correct copy of a McKesson's Drug Operation Manual, dated January 15, 1997 (MCKMDL00651873).

42. Attached hereto as **Exhibit 41** is a true and correct copy of McKesson's Lifestyle Drug Monitoring Program, dated May 16, 2007 (MCKMDK00355251).

43. Attached hereto as **Exhibit 42** is a true and correct copy of McKesson's Controlled Substance Monitoring Program, dated September 16, 2008 (MCKMDL00409301).

44. Attached hereto as **Exhibit 43** is a true and correct copy of McKesson Corporation Presentation to DEA, dated March 12, 2014 (MCKMDL00409116).

45. Attached hereto as **Exhibit 44** is a true and correct copy of a Moore email, dated September 20, 2013 (MCKMDL00596140).

46. Attached hereto as **Exhibit 45** is a true and correct copy of a Walker email, dated February 23, 2012 (MCKMDL00707092).

47. Attached hereto as **Exhibit 46** is a true and correct copy of a Walker email, dated February 11, 2009 (MCKMDL00707025).

48. Attached hereto as **Exhibit 47** is a true and correct copy of McKesson CSMP Actions (MCKMDL00533984).

49. Attached hereto as **Exhibit 48** is a true and correct copy of a McKesson Pharmacy Questionnaire (MCKMDL00494348).

50. Attached hereto as **Exhibit 49** is a true and correct copy of a McDonald email, dated January 19, 2011 (MCKMDL00518329).

51. Attached hereto as **Exhibit 50** is a true and correct copy of McKesson Talking Points, dated November 2013 (MCKMDL00639211).

52. Attached hereto as **Exhibit 51** is a true and correct copy of a Joseph Rannazzisi Presentation, dated March 2007 (US-DEA-00002413).

53. Attached hereto as **Exhibit 52** is a true and correct copy of a Walker email to McKesson, dated May 8, 2007 (MCKMDL00535364).

54. Attached hereto as **Exhibit 53** is a true and correct copy of a Walker email, dated August 28, 2008 (MCKMDL00543758).

55. Attached hereto as **Exhibit 54** is a true and correct copy of a DEA email, dated November 4, 2008 (MCKMDL00536051).

56. Attached hereto as **Exhibit 55** is a true and correct copy of a Walker email, dated January 22, 2009 (MCKMDL00355691).

57. Attached hereto as **Exhibit 56** is a true and correct copy of a Zimmerman email, dated August 7, 2017 (ABDCMDL00273269-70).

58. Attached hereto as **Exhibit 57** is a true and correct copy of a Bergen Brunswick letter, dated September 30, 1996 through July 23, 1998 (ABDCMDL00315783).

59. Attached hereto as **Exhibit 58** is a true and correct copy of a Bergen Brunswick letter, dated July 23, 1998 (US-DEA-00025671).

60. Attached hereto as **Exhibit 59** is a true and correct copy of a Madsen letter, dated April 20, 2001 (ABDCMDL00401601).

61. Attached hereto as **Exhibit 60** is a true and correct copy of ABDC reporting to DEA (ABDCMDL00315974).

62. Attached hereto as **Exhibit 61** is a true and correct copy of examples of daily suspicious order reports sent to DEA by various ABDC distribution centers (ABDCMDL00316041).

63. Attached hereto as **Exhibit 62** is a true and correct copy of an ABDC letter, dated May 25, 2007 (ABDCMDL00398309).

64. Attached hereto as **Exhibit 63** is a true and correct copy of an ABDC letter, dated June 7, 2007 (ABDCMDL00398338).

65. Attached hereto as **Exhibit 64** is a true and correct copy of ABDC Contract Form Comments (ABDCMDL00398235).

66. Attached hereto as **Exhibit 65** is a true and correct copy of a Suspicious Order Investigation Summary, dated October 6, 2005 through March 12, 2007 (ABDCMDL00301218).

67. Attached hereto as **Exhibit 66** is a true and correct copy of an ABDC CSRA letter, dated October 25, 2004 (ABDCMDL00315829).

68. Attached hereto as **Exhibit 67** is a true and correct copy of a letter from DEA Special Agent in Charge, John McCarty, dated January 12, 2006 (ABDCMDL00315862).

69. Attached hereto as **Exhibit 68** is a true and correct copy of letter from DEA Special Agent in Charge, John McCarty, dated September 25, 2003 (ABDCMDL00315795).

70. Attached hereto as **Exhibit 69** is a true and correct copy of a letter from DEA Special Agent in Charge, John McCarty, dated January 14, 2004 (ABDCMDL00315827).

71. Attached hereto as **Exhibit 70** is a true and correct copy of an ISO for Orlando facility, dated April 19, 2007 (ABDCMDL00269383-87).

72. Attached hereto as **Exhibit 71** is a true and correct copy of a Settlement and Release Agreement between DEA and ABDC, dated June 22, 2007 (ABDCMDL00279854-61).

73. Attached hereto as **Exhibit 72** is a true and correct copy of Program Overview exhibits for DEA daily reporting policy (ABDCMDL00004603).

74. Attached hereto as **Exhibit 73** is a true and correct copy of print out of a DEA Office of Diversion website giving the agenda and summary of the September 11-12, 2007, Pharmaceutical Industry Conference in Houston, Texas (ABDCMDL00046628).

75. Attached hereto as **Exhibit 74** is a true and correct copy of a Zimmerman Presentation, dated September 11, 2007 (ABDCMDL00269266).

76. Attached hereto as **Exhibit 75** is a true and correct copy of a Program Overview on ABDC diversion control programs (ABDCMDL00004578).

77. Attached hereto as **Exhibit 76** is a true and correct copy of an ABDC Form 590 Practitioner Questionnaire (ABDCMDL00293362).

78. Attached hereto as **Exhibit 77** is a true and correct copy of a Prescription Drug Diversion Program prepared by Zimmerman and Davis, dated March 4, 2015 (ABDCMDL00004969).

79. Attached hereto as **Exhibit 78** is a true and correct copy of an ABDC Controlled Substance “Do Not Ship” List, dated January 4, 2008 (ABDCMDL00360259).

80. Attached hereto as **Exhibit 79** is a true and correct copy of an ABDC Controlled Substance “Do Not Ship” List, dated January 15, 2010 (ABDCMDL00363215).

81. Attached hereto as **Exhibit 80** is a true and correct copy of an ABDC Controlled Substance “Do Not Ship” List, dated May 28, 2014 (ABDCMDL00336962).

82. Attached hereto as **Exhibit 81** is a true and correct copy of an ABDC Controlled Substance “Do Not Ship” List, dated May 28, 2014 (ABDCMDL00337006).

83. Attached hereto as **Exhibit 82** is a true and correct copy of an ABDC Controlled Substance “Do Not Ship” List, dated April 30, 2018 (ABDCMDL00300218).

84. Attached hereto as **Exhibit 83** is a true and correct copy of an ABDC CSRA presentation, dated June 27, 2007 (ABDCMDL00313757).

85. Attached hereto as **Exhibit 84** is a true and correct copy of an ABDC Form 590, dated June 30, 2007 (ABDCMDL00360282).

86. Attached hereto as **Exhibit 85** is a true and correct copy of an ABDC Form 590, dated August 10, 2010 (ABDCMDL00169950).

87. Attached hereto as **Exhibit 86** is a true and correct copy of an ABDC Form 590, dated November 15, 2012 (ABDCMDL00364348).

88. Attached hereto as **Exhibit 87** is a true and correct copy of an ABDC Form 590, dated July 2013 (ABDCMDL00282315).

89. Attached hereto as **Exhibit 88** is a true and correct copy of an ABDC Form 590, dated August 2013 (ABDCMDL00301767).

90. Attached hereto as **Exhibit 89** is a true and correct copy of a list of “Talking Points” for ABDC Sales Associates relating to Form 590 (ABDCMDL00302282).

91. Attached hereto as **Exhibit 90** is a true and correct copy of a Mapes email, dated January 21, 2014 (ABDCMDL00003541).

92. Attached hereto as **Exhibit 91** is a true and correct copy of a Mapes report, dated November 8, 2010 (ABDCMDL00398877).

93. Attached hereto as **Exhibit 92** is a true and correct copy of a Mapes report, dated July 27, 2012 (ABDCMDL00398882).

94. Attached hereto as **Exhibit 93** is a true and correct copy of a Mapes report, dated July 27, 2014 (ABDCMDL00398896).

95. Attached hereto as **Exhibit 94** is a true and correct copy of a Cherveney email, dated December 5, 2016 (ABDCMDL00140921).

96. Attached hereto as **Exhibit 95** is a true and correct copy of a Declaration of Candace Harbauer, dated July 29, 2019.

97. Attached hereto as **Exhibit 96** is a true and correct copy of a State of Ohio Board of Pharmacy Inspection Report, dated June 6, 2018 (PSI-099454).

98. Attached hereto as **Exhibit 97** is a true and correct copy of PSI's Written Response to OBOP, dated October 25, 2017 (PSI00000007).

99. Attached hereto as **Exhibit 98** is a true and correct copy of Plaintiffs' Responses to Amended and Clarified Discovery Ruling 12 Supplemental Interrogatory Issued to Plaintiffs, dated March 29, 2019.

100. Attached hereto as **Exhibit 99** is a true and correct copy of a Declaration of Daniel Karant, dated March 29, 2019.

101. Attached hereto as **Exhibit 100** is a true and correct copy of a K. Harbauer letter, dated March 25, 1996.

102. Attached hereto as **Exhibit 101** is a true and correct copy of PSI Suspicious Order Monitoring System, System Documentation, dated March 26, 1991 (PS172519).

103. Attached hereto as **Exhibit 102** is a true and correct copy of a Harbauer letter, dated May 28, 1997 (PS166566).

104. Attached hereto as **Exhibit 103** is a true and correct copy of handwritten notes re: Shaffer Pharmacy, dated February 23, 2018 (0001400).

105. Attached hereto as **Exhibit 104** is a true and correct copy of a Declaration of K. Harbauer of PSI, dated July 29, 2019.

106. Attached hereto as **Exhibit 105** is a true and correct copy of a Walmart Incident Log, dated June 14, 2016 to August 22, 2017 (WMT_MDL_000043808).

107. Attached hereto as **Exhibit 106** is a true and correct copy of a Walmart Dispensary/Incident Log, dated January 15, 2018 to March 5, 2018 (WMT_MDL_000043807).

108. Attached hereto as **Exhibit 107** is a true and correct copy of a Harris email, dated November 11, 2014 (WMT_MDL_000016090).

109. Attached hereto as **Exhibit 108** is a true and correct copy of a Walmart Health & Wellness Compliance Overview (WMT_MDL_000047661).

110. Attached hereto as **Exhibit 109** is a true and correct copy of a Johnson email, dated January 15, 2018 (WMT_MDL_000005602).

111. Attached hereto as **Exhibit 110** is a true and correct copy of a Hilland email, dated, July 25, 2012 (WMT_MDL_000009427).

112. Attached hereto as **Exhibit 111** is a true and correct copy of a Beam email, dated September 27, 2012 (WMT_MDL_000008089).

113. Attached hereto as **Exhibit 112** is a true and correct copy of a Control Drug Stock Exception Report fax from Walmart to DEA, dated September 14, 2007 (WMT_MDL_000044442).

114. Attached hereto as **Exhibit 113** is a true and correct copy of a Control Drug Stock Exception Report fax from Walmart to DEA, dated August 4, 2010 (WMT_MDL_000046008).

115. Attached hereto as **Exhibit 114** is a true and correct copy of a Declaration and Expert Report of Gregory Anderson, dated May 31, 2019.

116. Attached hereto as **Exhibit 115** is a true and correct copy of Walgreens' Customer Authentication Policy, dated December 4, 2009; revised April 2, 2012 (WAGFLDEA00001746).

117. Attached hereto as **Exhibit 116** is a true and correct copy of a Controlled Substance Ordering Presentation, dated Oct. 9, 2012 (WAGMDL00667938).

118. Attached hereto as **Exhibit 117** is a true and correct copy of excerpts from the Wayne Bancroft deposition, dated January 10, 2019.

119. Attached hereto as **Exhibit 118** is a true and correct copy of a Walgreen Co. Controlled Substance Anti-Diversion and Compliance Program Presentation, dated July 17, 2002 (WAGMDL00659828).

120. Attached hereto as **Exhibit 119** is a true and correct copy of a Mills email, dated Apr. 8, 2013 (WAGMDL00245867).

121. Attached hereto as **Exhibit 120** is a true and correct copy of a Polster DEA Update Market Leadership Meeting Presentation, dated January 2012 (WAGMDL00049753).

122. Attached hereto as **Exhibit 121** is a true and correct copy of an excerpt of the Patricia Daugherty deposition, dated November 15, 2018.

123. Attached hereto as **Exhibit 122** is a true and correct copy of Tasha Polster's LinkedIn page, dated January 23, 2019.

124. Attached hereto as **Exhibit 123** is a true and correct copy of Edward Bratton's LinkedIn page, dated November 30, 2018.

125. Attached hereto as **Exhibit 124** is a true and correct copy of Patricia Daugherty's LinkedIn page, dated November 15, 2018.

126. Attached hereto as **Exhibit 125** is a true and correct copy of Eric Stahmann's LinkedIn page, dated October 16, 2018.

127. Attached hereto as **Exhibit 126** is a true and correct copy of Steven Mills' LinkedIn page, dated November 8, 2018.

128. Attached hereto as **Exhibit 127** is a true and correct copy of excerpts from John Merritello's deposition, dated January 18, 2019.

129. Attached hereto as **Exhibit 128** is a true and correct copy of an email and attachment dated February 8, 2012 (WAGMDL00325129).

130. Attached hereto as **Exhibit 129** is a true and correct copy of a DEA letter, dated December 27, 1988 (US-DEA-00025683).

131. Attached hereto as **Exhibit 130** is a true and correct copy of the 2004 DEA Chemical Handler's Manual at Appendix E-3, dated January 2004 (WAGMDL00395965).

132. Attached hereto as **Exhibit 131** is a true and correct copy of a Jupiter DC Audit, dated July 27, 2007 (WAGMDL00757549).

133. Attached hereto as **Exhibit 132** is a true and correct copy of a Walgreens letter, dated July 28, 2006 (WAGMDL00387642).

134. Attached hereto as **Exhibit 133** is a true and correct copy of a Soliva email, dated April 3, 2007 (WAGMDL00400357).

135. Attached hereto as **Exhibit 134** is a true and correct copy of a Walgreens email, dated June 25, 2007 (WAGMDL00387635).

136. Attached hereto as **Exhibit 135** is a true and correct copy of a Walgreens email, dated March 26, 2008 (WAGMDL00387651)

137. Attached hereto as **Exhibit 136** is a true and correct copy of a Tiemeyer email, dated June 24, 2008 (WAGMDL00624527).

138. Attached hereto as **Exhibit 137** is a true and correct copy of a DEA letter, dated June 25, 2009 (WAGMDL00493683).

139. Attached hereto as **Exhibit 138** is a true and correct copy of a Coughlin email, dated September 8, 2010 (WAGMDL00387641).

140. Attached hereto as **Exhibit 139** is a true and correct copy of a *Walgreens v. DEA* Hearing Transcript, dated March 21, 2013.

141. Attached hereto as **Exhibit 140** is a true and correct copy of a Statement of Joseph T. Rannazzisi to the Caucus on International Narcotics Control, dated July 18, 2012.

142. Attached hereto as **Exhibit 141** is a true and correct copy of a Statement of Michele M. Leonhart to the U.S. Senate Judiciary Committee, Subcommittee on Crime and Terrorism, dated May 24, 2011.

143. Attached hereto as **Exhibit 142** is a true and correct copy of a Declaration of DEA Counsel Scott Lawson ¶ 10, *In re Admin. Subpoena*, No. 1:12-mc-43, dated November 16, 2012.

144. Attached hereto as **Exhibit 143** is a true and correct copy of an article, Scott Hiaasen, *Walgreen Pharmacies Draw Scrutiny in Florida Pill Investigation*, The Miami Herald, dated April 6, 2012.

145. Attached hereto as **Exhibit 144** is a true and correct copy of a Walgreens Rx Questionable Order Quantity Procedure, dated December 11, 2006 (WAGMDL00757788).

146. Attached hereto as **Exhibit 145** is a true and correct copy of an Rx Questionable Order Quantity Procedure, dated April 8, 2010 (WAGMDL00751822).

147. Attached hereto as **Exhibit 146** is a true and correct copy of a Martin email, dated January 10, 2011 (WAGFLDEA00000846).

148. Attached hereto as **Exhibit 147** is a true and correct copy of a Martin email, dated January 11, 2011 (WAGFLDEA00000852).

149. Attached hereto as **Exhibit 148** is a true and correct copy of a Parlato email, dated July 8, 2010 (WAGFLDEA00000459).

150. Attached hereto as **Exhibit 149** is a true and correct copy of a Mills email, dated August 9, 2012 (WAGMDL00107532).

151. Attached hereto as **Exhibit 150** is a true and correct copy of a Mills email, dated December 6, 2012 (WAGMDL00107162).

152. Attached hereto as **Exhibit 151** is a true and correct copy of an Order Item Detail/Suspicious Order, dated August 25, 2009 (WAGMDL00674550).

153. Attached hereto as **Exhibit 152** is a true and correct copy of Walgreens' Good Faith Dispensing Policy, dated February 7, 2007 (WAGMDL00008112).

154. Attached hereto as **Exhibit 153** is a true and correct copy of Walgreens' Good Faith Dispensing Policy, dated May 8, 2017 (WAGMDL00005359).

155. Attached hereto as **Exhibit 154** is a true and correct copy of Walgreens' Target Drug Good Faith Dispensing Policy, dated October 2, 2017 (WAGMDL00005369).

156. Attached hereto as **Exhibit 155** is a true and correct copy of Walgreens' June 2018 Target Drug Good Faith Dispensing Checklist (WAGMDL00000360).

157. Attached hereto as **Exhibit 156** is a true and correct copy of a 2013 American Medical Association Resolution 218.

158. Attached hereto as **Exhibit 157** is a true and correct copy of a Healy email, dated November 18, 2011 (WAGFLDEA00000763).

159. Attached hereto as **Exhibit 158** is a true and correct copy of an email regarding refusing to fill at store #12885, dated September 18, 2011 (WAGFLDEA00000401).

160. Attached hereto as **Exhibit 159** is a true and correct copy of an email regarding refusal to fill at store #05857, dated August 26, 2011 (WAGFLDEA00000443).

161. Attached hereto as **Exhibit 160** is a true and correct copy of an Akron Police Report, dated July 28, 2009 (AKRON_001158027-028).

162. Attached hereto as **Exhibit 161** is a true and correct copy of an Akron Police Department Report of Investigation, dated November 6, 2013 (SUMMIT_001520592-596).

163. Attached hereto as **Exhibit 162** is a true and correct copy of a Pancoe email, dated April 13, 2017 (AKRON_000367619).

164. Attached hereto as **Exhibit 163** is a true and correct copy of a Cleveland Investigation report, dated May 18, 2016 (CUYAH_007488966-979).

165. Attached hereto as **Exhibit 164** is a true and correct copy of excerpts from Laurie Zaccaro's deposition, dated January 16, 2019.

166. Attached hereto as **Exhibit 165** is a true and correct copy of a Declaration of Sonya Kwon, dated July 25, 2019.

167. Attached hereto as **Exhibit 166** is a true and correct copy of excerpts from Mark Nicastro's deposition, dated December 6, 2018.

168. Attached hereto as **Exhibit 167** is a true and correct copy of Cedegim Relationship Management Compliance Solutions Powered by Buzzeo PDMA, Descriptive Overview Document (CVS-MDLT1-000034192).

169. Attached hereto as **Exhibit 168** is a true and correct copy of a DC Huddle Guide (CVS-MDLT1-3028).

170. Attached hereto as **Exhibit 169** is a true and correct copy of a VIPERx PDMR – High Priority, dated January 29-April 28 (CVS-MDLT1-74775).

171. Attached hereto as **Exhibit 170** is a true and correct copy of excerpts from William S. Choi's Expert Report, dated May 10, 2019.

172. Attached hereto as **Exhibit 171** is a true and correct copy of excerpts from Henry John Mortelliti's deposition, dated January 23, 2019.

173. Attached hereto as **Exhibit 172** is a true and correct copy of Logistics Loss Prevention ISO 9001, dated February 29, 2012 (CVS-MDLT1-109871).

174. Attached hereto as **Exhibit 173** is a true and correct copy of CVS's Written Responses to Topics 8, 9, 12, 13, and 14 of Plaintiffs' Amended Second Notice of Deposition, dated November 15, 2018.

175. Attached hereto as **Exhibit 174** is a true and correct copy of Suspicious Order Monitoring for PSE/Control Drugs, dated August 27, 2010 (CVS-MDLT1-75300).

176. Attached hereto as **Exhibit 175** is a true and correct copy of excerpts from Kelly Baker's deposition, dated January 24, 2019.

177. Attached hereto as **Exhibit 176** is a true and correct copy of excerpts from Dean Vanelli deposition's, dated January 16, 2019.

178. Attached hereto as **Exhibit 177** is a true and correct copy of a Vanelli letter, dated August 21, 2013 (CVS-MDLT1-000104918).

179. Attached hereto as **Exhibit 178** is a true and correct copy of an Evaluation of Suspicious Orders Monitoring System for CVS/Caremark (CVS-MDLT1-000125136).

180. Attached hereto as **Exhibit 179** is a true and correct copy of a Declaration of Paul B. Hynes, dated July 29, 2019.

181. Attached hereto as **Exhibit 180** is a true and correct copy of excerpts from a Pamela Hinkle deposition, dated January 24, 2019.

182. Attached hereto as **Exhibit 181** is a true and correct copy of a Rite-Aid Threshold Log, dated December 27-31, 2013 (Rite_Aid_OMDL_0024037-38).

183. Attached hereto as **Exhibit 182** is a true and correct copy of a Wood email, dated May 1, 2012 (Rite_Aid_OMDL_0015876-77).

184. Attached hereto as **Exhibit 183** is a true and correct copy of excerpts from Andrew Palmer's deposition, dated January 22, 2019.

185. Attached hereto as **Exhibit 184** is a true and correct copy of "Anatomy of a Pharmacy Case" presentation (Rite_Aid_MDL_0037816).

186. Attached hereto as **Exhibit 185** is a true and correct copy of a Kins Incident Report, dated October 1, 2019 (Rite_Aid_OMDL_0044599-601).

187. Attached hereto as **Exhibit 186** is a true and correct copy of excerpts from Keith Frost's deposition, dated January 15, 2019.

188. Attached hereto as **Exhibit 187** is a true and correct copy of excerpts from Patrick Leonard's deposition, dated March 27, 2019.

189. Attached hereto as **Exhibit 188** is a true and correct copy of Adolph Harper License Look Up, dated March 23, 2019.

190. Attached hereto as **Exhibit 189** is a true and correct copy of emails regarding Dr. Harper, dated October 2011 (MCKMDL00626683).

191. Attached hereto as **Exhibit 190** is a true and correct copy of Interrogatory Response No. 7, HBC Service Company's Supplemental Answers to Plaintiff's First Set of Interrogatories to HBC Service Company.

192. Attached hereto as **Exhibit 191** is a true and correct copy of a Millward email, dated November 19, 2013 (HBC_MDL00132864).

193. Attached hereto as **Exhibit 192** is a true and correct copy of a Roahrig email, dated November 25, 2013 (HBC_MDL00094599).

194. Attached hereto as **Exhibit 193** is a true and correct copy of Giant Eagle Controlled Substance Dispensing Guideline, dated July 22, 2013 (HBC_MDL00180760).

195. Attached hereto as **Exhibit 194** is a true and correct copy of a Millward email, dated August 18, 2011 (HBC_MDL00180816).

196. Attached hereto as **Exhibit 195** is a true and correct copy of a 2009 Giant Eagle Fraud Waste and Abuse Compliance Manual (HBC_MDL00043955).

197. Attached hereto as **Exhibit 196** is a true and correct copy of 2009 HBC Pharmacy Operations and Procedures, dated November 5, 2009 (HBC_MDL00189056).

198. Attached hereto as **Exhibit 197** is a true and correct copy of a Pharmacy Hand-Off Procedure, dated May 12, 2011 (HBC_MDL00189086).

199. Attached hereto as **Exhibit 198** is a true and correct copy of a Pharmacy Palletizing Procedure, dated May 12, 2011 (HBC_MDL00189088).

200. Attached hereto as **Exhibit 199** is a true and correct copy of excerpts from Greimel's deposition, dated May 29, 2019.

201. Attached hereto as **Exhibit 200** is a true and correct copy of DDM's Answers to Interrogatories Nos. 17, 24, dated October 29, 2018.

202. Attached hereto as Exhibit 201 is a true and correct copy of excerpts from Richard Chapman's deposition, dated December 18, 2018.

I hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Dated: August 6, 2019

s/ Katherine M. Swift